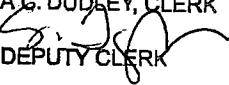


FEB 19 2016

JULIA G. DUDLEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

OBAYDA HANIFI ABED,
Petitioner,

Case No. 7:01-cv-00356

v.

USA,
Respondent.

ORDER

By: Hon. Michael F. Urbanski
United States District Judge

Obayda Hanifi Abed filed a pro se motion for reconsideration of the memorandum opinion and order dismissing his motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Abed argues that there were defects in the collateral proceeding, but he also argues that he is actually innocent of his criminal charges, the sentence exceeded the statutory maximum, and that the court lacked jurisdiction to enter the criminal judgment. Consequently, the motion for reconsideration seeks a remedy for perceived flaws in the § 2255 proceeding and also directly attacks the conviction and sentence. In accordance with United States v. McRae, 793 F.3d 392, 400 (4th Cir. 2015), it is hereby **ORDERED** that Abed shall, within 10 days, **FILE** an amended motion that deletes either the claims about the prior § 2255 proceeding or the claims attacking the conviction and sentence. The instant motion will be dismissed without prejudice if Abed fails to comply.

ENTER: This 19 day of February, 2016.


Michael F. Urbanski

United States District Judge